

## **REMARKS**

The Office Action mailed August 23, 2007 has been reviewed. By way of summary, claims 1-6, 8-13, 15, 19, and 24-27 are pending in the application and stand rejected. In the present amendment, Applicant has amended claims 1, 12, 13, 15, 24, and 27. Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the proposed amendments and the following remarks.

### **Rejection of Claims 24-27 under 35 U.S.C. §112, First Paragraph**

The Examiner rejected Claims 24-27 under 35 U.S.C. §112 as failing to comply with the written description and enablement requirements with respect to the phrase “a user transaction manager configured to manage ... a user’s interest.” Applicant respectfully disagrees with this rejection.

A claim satisfies the written description requirement when the disclosure “convey[s] with reasonable clarity to those skilled in the art that, as of the filing date sought, [the inventor] was in possession of the invention . . . now claimed” (M.P.E.P. §2163.02). Moreover, “[t]he subject matter of the claim need not be described literally (i.e., using the same terms or *in haec verba*) in order for the disclosure to satisfy the description requirement.” *Id.*

Here, several portions of the current application, as filed, describe a “transaction manager” that is configured to manage a user’s interests. For example, paragraph 25 states that “[t]o assist customers with finding programs that relate to the customer’s interests, the universal transaction manager system provides the customer with a universal transaction manager that the customer can remotely access and control.” The specification also teaches that a user can “configure the universal transaction manger to include information about the customer’s preferences, interests, hobbies, upcoming travel plans, favorite merchants, and so forth.” Specification, Para. 26. The user can also:

“control information that the *universal transaction manager* may share with merchants and other third parties. For example, the customer may configure the universal transaction manager to share the customer’s zip code with all merchants

and third parties, but restrict the customer's gender or purchasing history to those merchants and third parties that have a [certain] privacy rating. . ."

*Id.* (emphasis added). The user can "also set rules for performing automatic transactions, such as automatic purchase or online bidding." *Id.*

The specification also describes that a "transaction manager component 110 tracks and manages credit card accounts," debit card accounts, loyalty point and affinity point accounts, currency transfer, and other type of user accounts. *Id.* at Para. 36. Further, it teaches that the transaction manager component can communicate with a user's date book software, can synchronize with a cellular phone, and can interact with a GPS "to send opportunities or promotions which **match user interests** for users in a specific location." *Id.* at Para. 38 (emphasis added).

In view of the foregoing, Applicant respectfully submits that the specification conveys with reasonable clarity to those skilled in the art that Applicant was in possession of the claimed invention.

With respect to enablement, under M.P.E.P. §2164, the test is whether one skilled in the art could make or use the subject matter defined by the claims without undue experimentation. Here, the claims are enabled because the specification explains (at least in the citations above) how the universal transaction component manages a user's interests and preferences by at least storing, sharing, tracking, and evaluating a user's interests.

For purposes of moving prosecution forward, Applicant has amended Claim 24 to recite "a transaction manager **component** configured to manage, via an electronic communications medium, a user's interests, the transaction manager component further configured to select promotions that relate to the user's interests." Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. §112 first paragraph be withdrawn.

**Rejection of Claim 27 under 35 U.S.C. § 112, Second Paragraph**

The Examiner rejected Claim 27 under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended Claim 27 to correct the lack of antecedent basis for the phrase "the plurality of user accounts" by replacing that phrase with "a plurality of user accounts."

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of Claim 27 under 35 U.S.C. § 112 second paragraph.

**Rejection of Claims 1-6, 8-13, 15, 19, and 24-27 under 35 U.S.C. § 102(e)**

The Examiner rejected Claims 1-6, 8-13, 15, 19, and 24-27 under 35 U.S.C. §102 as being anticipated by United States Patent No. 6,915,271 to Meyer et al. (referred to hereinafter as “Meyer”). The Examiner contends that Meyer teaches all limitations of Claims 1-6, 8-13, 15, 19, and 24-27. Applicant respectfully traverses that rejection for the following reasons.

**Independent Claim 1**

Claim 1, as amended, recites:

A system for facilitating the matching of at least one promotion with at least one user, the system comprising:

a personal computer device configured to manage a user’s preferences, *wherein the personal computer device is further configured to manage a plurality of the user’s accounts for transferring funds*; and

a transaction module configured to present information about the at least one promotion to at least one user via the personal computer device *wherein the promotion relates to preferences that correspond to the user*, the transaction module further configured to select at least one of the plurality of the user’s accounts to use for a commercial transaction with the at least one of a plurality of merchants *wherein the selection is based at least in part on the at least one promotion and on rules that govern which one of the plurality of the user’s accounts should be used*.

Emphasis added.

Applicant respectfully submits that Meyer does not teach or suggest at least the above highlighted limitations of Claim 1. Meyer is directed to a system and method for electronically distributing and displaying to a consumer promotional incentives over an electronic network. *See* Meyer, Abstract. Mayer teaches that a promotion sponsor, defined as an organization that sponsors promotions, “can be an external membership organization that has separate membership from membership in the incentives scheme,” such as a particular credit card company. *Id.* at Col. 17, ll. 20-27. Such a promotion sponsor may have promotions that are restricted only to

members or non-members. *Id.* at Col. 17, ll. 27-33. If a particular incentive requires membership in an external organization such as a particular credit card company, when a consumer selects that incentive, a sign-on screen pops up requiring that the consumer input his/her credit card information. *Id.* at Col. 32, l. 47 – Col. 33, l. 26. Meyer also teaches that when a member uses a buy now procedure, a purchase screen pops up “that asks the member for all information necessary to complete the purchase (which may include the member’s credit card number, address for shipping, and so on.)” *Id.* at Col. 41, ll. 21-26. The service provider then “charges the purchase to the member’s credit card, and then informs the vendor of the transaction....” *Id.* at Col. 41, ll. 31-34.

These teachings of Meyer, however, do not disclose a personal computer device configured to manage a plurality of one user’s accounts “*for transferring funds.*” Instead, Meyer teaches use of one credit card account for each user, where the user has to input the credit card account number into the system before finalizing a purchase. *Id.* at Col. 41, ll. 21-26.

Furthermore, Meyer does not teach or suggest that the promotion that is presented to the user “relates to preferences that correspond to the user.” For example, Meyer does not teach that the selection of the at least one of the plurality of the user’s accounts is based at least in part on the “promotion and *rules that govern which one of the plurality of the user’s account should be used.*” Instead, Meyer teaches use of one credit card account for each user, where the user has to input the credit card account number into the system before finalizing a purchase. *Id.* at Col. 41, ll. 21-34. Accordingly, Meyer does not teach or suggest all limitations of Claim 1, as amended.

Applicant therefore submits that Claim 1 is patentably distinguished over Meyer. Applicant thus respectfully requests that the Examiner withdraw the rejection of Claim 1 and pass Claim 1 to allowance.

**Dependent Claims 2-6, 12, 13, and 15**

Claims 2-6, 12, 13, and 15 depend from Claim 1 and thus include all the limitations of Claim 1, as well as other limitations of particular utility. Applicant respectfully submits that Claims 2-6, 12, 13, and 15 are patentably distinguished over Meyer for the reasons stated above with respect to Claim 1 and because of the additional limitations included in these claims.

Applicants respectfully request that the Examiner withdraw the rejection of Claims 2-6, 12, 13, and 15 and pass these Claims to allowance.

**Independent Claim 8**

Claim 8 recites, among other things:

*matching at least one of the plurality of promotions to at least one of the plurality of users* based at least upon a portion of the plurality of user information and *the user payment account information*.

Emphasis added.

Applicant respectfully submits that Meyer does not teach or suggest at least the above cited limitations of Claim 8. As discussed above with respect to Claim 1, Meyer teaches that in some instances an incentive requires membership in an external membership organization which can be a credit card company sponsoring the promotion. *Id.* at Col. 17, ll. 20-27; Col. 24, ll. 1-8. Meyer, however, does not disclose “*matching*” one at least one of a plurality of promotions to a user “based upon a plurality of user information *and the user payment account information*.” In Meyer, the user is presented with a variety of incentives from which the user can select. If the user selects an incentive which is restricted to holders of a particular credit card, then the system verifies whether or not the user qualifies for the incentive by requesting that the user input his/her credit card information. *Id.* at Col. 32, l. 47 – Col. 33, l. 26. This is different from receiving “user information relating to a plurality of users, wherein the *user information includes user payment account information*” and “*matching*” a promotion to a user based at least upon “*the user payment account information*.”

Meyer also teaches that when initiating a purchase, a user may be presented with a pop-up screen that asks for the user’s credit card number which the service provider can then use to charge the purchase to. *Id.* at Col. 41, ll. 21-34. This teaching of Meyer, however, is also different from “*matching*” one at least one of a plurality of promotions to a user “based upon a plurality of user information and *the user payment account information*.” Accordingly, Meyer does not disclose “*matching* at least one of the plurality of promotions to at least one of the plurality of users based at least upon a portion of the plurality of user information and *the user payment account information*.” Thus, Meyer does not teach or suggest all limitations of Claim 8.

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Applicant therefore submits that Claim 8 is patentably distinguished over Meyer. Applicant thus respectfully requests that the Examiner withdraw the rejection of Claim 8 and pass Claim 8 to allowance.

**Claims 9-11 and 19**

Claims 9-11 and 19 depend from Claim 8 and thus include all the limitations of Claim 8, as well as other limitations of particular utility. Applicant respectfully submits that Claims 9-11 and 19 are patentably distinguished over Meyer for the reasons stated above with respect to Claim 8 and because of the additional limitations included in these claims. Applicants respectfully request that the Examiner withdraw the rejection of Claims 9-11 and 19 and pass these Claims to allowance.

**Claim 24**

Claim 24, as amended, recites, among other things:

**a *transaction manager component*** configured to manage, via an electronic communications medium, a user's interests, the transaction manager component further configured to select promotions that relate to the user's interests; and

**a *transaction module configured*** to present information about the one or more selected promotions to the user via an electronic communications medium;  
***wherein the transaction manager component is further configured to manage one or more user accounts for transferring funds.***

Emphasis added.

Applicant respectfully submits that Meyer does not teach or suggest at least the above cited limitations of Claim 24. First, Meyer does not disclose a "transaction manager component" for managing a user's interests and selecting promotions that relate to the user's interests. Second, Meyer does not teach a transaction manager component configured for managing "one or more user accounts *for transferring funds.*" The Examiner has not cited to any sections of Meyer that teach this limitation of Claim 24 and no such section exists. As discussed above with respect to Claims 1 and 8, Meyer teaches that certain incentives may require membership in an external membership organization which can be a credit card company. Meyer also teaches the use of one credit card account for each user, where the user has to input the credit card account

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number into the system before finalizing a purchase. *Id.* at Col. 41, ll. 21-34. Meyer, however, does not teach or suggest a “transaction manager component ... configured to manage one or more user accounts for transferring funds.” Accordingly, Meyer does not teach or suggest all limitations of Claim 24.

Applicant therefore submits that Claim 24 is patentably distinguished over Meyer. Applicant thus respectfully requests that the Examiner withdraw the rejection of Claim 24 and pass Claim 24 to allowance.

#### **Claims 25-27**

Claims 25-27 depend from Claim 24 and thus include all the limitations of Claim 24, as well as other limitations of particular utility. Applicant respectfully submits that Claims 25-27 are patentably distinguished over Meyer for the reasons stated above with respect to Claim 24 and because of the additional limitations included in these claims. Applicants respectfully request that the Examiner withdraw the rejection of Claims 25-27 and pass these Claims to allowance.

#### **No Disclaimers or Disavowals**

Although the present communication may include alterations to the claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

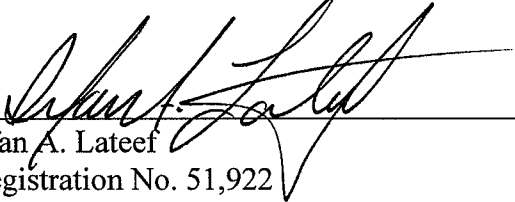
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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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